GOVERNMENT OF ANDHRA PRADESH
ABASTRACT

Public Services – Commissioner of Commercial Tax – Allegations of certain irregularity committed by D.Sri Rama Murthy, former Junior Assistant, O/o. Commercial Tax Officer, Nidadavolu (now expired) and two others – Departmental Proceedings initiated – charges proved - Representation submitted - Provisional decision taken– Show Cause Notice issued – representation received – Charged Officer Expired on 10.10.2016 – Further action abated subject to recovery of the amount of Rs.79,464/- and other dues if any – Orders - Issued.

REVENUE (VIGILANCE.II) DEPARTMENT

G.O.Rt.No.781 **Dated:27-07-2017**

Read the following:-

Ref:-1.From CCT Ref.No.V1/502/2007, Dt: 31-05-2007.
2.G.O.Ms.No.428, Rev(Vig.II) Dept, Dt.04.03.2009.
3.G.O.Ms.No.405, Rev(Vig.II) Dept, Dt.04.03.2009,
(V.Surya Mohan Rao, DCTO-II, (retd.))
4. G.O.Ms.No.406, Rev(Vig.II) Dept, Dt.04.03.2009,
(V.Thimmaiah, ACTO (Retd.,))
5. G.O.Ms.No.408, Rev(Vig.II) Dept, Dt.04.03.2009,
(D.Sreerama Murthy, Jr.Asst.)
6.Govt.Memo No.24722/Vig.I(1)/08-9,Dt: 04-03-2011.(SCN
V.Surya Mohan Rao, DCTO-II, (retd)& V.Thimmaiah, ACTO (Retd))
7.Govt.Memo No.24722/Vig.I(1)/08-10,Dt: 24-05-2011.
8.From the CCT, Lr No.V1/502/2007, Dt.19.06.2012
9.Govt.Memo No.24722/Vig.I(1)/08-12 to 14, Dt: 13-09-2012.
10.Represenation of Sri D.Srirama Murthy, Dt.24.10.2012
11.From CCT Ref.No.V1/502/2007,Dt: 29-11-2012.
12.Govt.Memo No.24722/Vig.I(1)/2008-16,Dt: 15-12-2012.
13.Govt.Memo No.24722/Vig.I(1)/2008-17,Dt: 09-12-2014.
14.From the CCT, Lr.No.V1/502/2007, Dt.06.04.2017.

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ORDER:

Whereas, as per the report received from the Commissioner of Commercial Taxes, vide reference 1st read above, Government have initiated common disciplinary proceedings against Sri D.Sri Rama Murthy, Junior Assistant, O/o Commercial Tax Officer, Nidadavolu along with two (2) other Commercial Tax personnel, vide reference 2nd to 5th read above, on the allegations of misuse of way bills in collusion with dealer Sri K. Nagaraju alias K.Nagaraju Prasad (M/s.Ganesh Traders, West Godavari District):

2. The charges framed against D.Sri Rama Murthy, Junior Assistant, O/o. Commercial Tax Officer, Nidadavolu, (Charged Officer-2) is as follows:

Charge 1: That D.Sri Rama Murthy, Junior Assistant, worked as Junior Assistant in CTOs Office, Narasapuram during the years 2002-2003 & 2003-2004. While working as Junior Assistant in Government Service, he indulged in business by acting as Managing Partner with Kolisetti Nagaraju in M/s Sri Ganesh Traders, Mogaltur violating rule 11 APCS (conduct) Rules, 1964. He instigated Kolisetti Nagaraju in indulging in Clandestine business in blackgram.

Charge 2: That D.Sri Rama Murthy, Junior Assistant, worked as Junior Assistant in CTOs Office, Narasapuram forged the signature of Smt. Kaja Srivalli, Gudivada on the stamped affidavit filed in this regard while showing the property of Smt. Sri Valli as Security, Violated of Conduct Rule 3 of Andhra Pradesh Civil Services (Conduct Rules) 1964.

Contd.,2

3. Sri D.Sri Rama Murthy, Junior Assistant, O/o. Commercial Tax Officer, Nidadavolu and two (2) charged officers have submitted their Written Statement of Defences denying the charges. After examination of the Written Statement of Defences, Government conducted the regular enquiry and the Inquiry Officer has submitted the report stating that the charges against the charged officers are held proved. Government, after examining the matter have provisionally decided to impose penalty on the charged officers. In respect of Sri D.Sri Rama Murthry, SO-3, it has been decided to impose a penalty of stoppage of four (4) increments without cumulative affect against him. (Show Cause Notices have been issued to CO-I &2 since they retired from service)

4. Further in reply to Government Memo in reference 7th read above, the Commissioner of Commercial Taxes vide letter in reference 8th read above, has stated that the loss caused due to misuse of way bills is Rs.5,29,563/- and when the amount was apportioned among the three Charged Officers, the apportioned amount to be recovered from Sri D.Sri Rama Murthry,SO-3, (@15%) is Rs.79,434/-

5. Whereas the Government have issued further Show Cause Notices to three Charged Officers vide reference 9th read above for recovery of the said amount. In reply Sri D.Sri Rama Murthy and two other Charged Officers have submitted representations. Further, the Government, have requested Commissioner of Commercial Taxes to offer his specific remarks on the representation of the Charged Officers (one of the Charged Officer) regarding the total amount. The Commissioner of Commercial Taxes, vide letter in the reference 14th read above has concluded that the total tax due is Rs.5,29,563/-.

7. Whereas, the Government have examined the explanation of Sri D.Sri Rama Murthy, SO-3 and found not convincing. As such, the Government has decided to confirm the proposed penalty of stoppage of four increments without cumulative effect in respect of Sri D.Sri Rama Murthy, Junior Assistant (now expired) subject to recovery of share of apportioned amount of Rs.79,434/- from Sri D.Sri Rama Murthy, Junior Assistant O/o. Commercial Tax Officer, Nidadavolu.

8. Meanwhile the Commissioner of Commercial Taxes has furnished a report stating that Sri D.Sri Rama Murthy the then Junior Assistant, O/o Commercial Tax Office, Nidadavolu has expired on 10.10.2016 and requested the Government to pass appropriate orders.

9. The matter has been examined in detail and it has been decided to abate further action against Sri D.Sri Rama Murthy the then Junior Assistant. Accordingly, further action against Sri D.Sri Rama Murthy the then Junior Assistant, O/o Commercial Tax Office, Nidadavolu is here by abated in terms of G.O.Ms.No.85, Finance (Pen.I) Department, Dt.12.07.1999 read with G.O.Ms.No.995, Finance (Pen.I) Department, Dt.21.12.2002, since he was expired on 10.10.2016 subject to recovery of an amount of Rs. 79,434/- and other dues if any.

10. The Commissioner of Commercial Taxes shall take further action accordingly.

(BY ORDER IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Dr.D.SAMBASIVA RAO
SPECIAL CHIEF SECRETARY TO GOVERNMENT (CT, EXCISE & R&S)

To

Sri D.Sri Rama Murthy, former Junior Assistant, O/o Commercial Tax Office, Nidadavolu (Through Commissioner of Commercial Taxes, Andhra Pradesh, Vijayawada)

The Commissioner of Commercial Taxes, Andhra Pradesh, Vijayawada.

Copy to:

The Deputy Commissioner, Commercial Taxes, Eluru,
West Godavari District.

Contd.,3

The Accountant General, Andhra Pradesh, Hyderabad.
The Director of Treasury and Accounts, Andhra Pradesh, D.No.7-57, Sri Anjaneya Towers, VTPS Road, Ibrahimpatnam, Vijayawada-521456.
The District Treasury Officer, Eluru, West Godavari District.
SC/SF.

//FORWARDED:: BY ORDER//

SECTION OFFICER